



STATE OF MICHIGAN
TERRI LYNN LAND, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

DATE: July 6, 2004
TO: Political Party Committees
FROM: Michigan Department of State, Bureau of Elections
SUBJECT: FILING DEADLINES FOR AUGUST 3, 2004 PRIMARY ELECTION

CAREFULLY READ THIS MEMO TO DETERMINE IF THE DESCRIBED FILINGS ARE REQUIRED OF YOUR COMMITTEE.

THE REPORTS ARE REQUIRED OF POLITICAL PARTY COMMITTEES THAT PARTICIPATE IN THE AUGUST 3, 2004 PRIMARY ELECTION.

Campaign Statement Filing Deadlines

- I. The Pre-Primary Campaign Statement**, due July 23, 2004 covers the committee's financial activity through July 18, 2004.

Your committee must file the Pre-Primary Campaign Statement if by July 18th the committee makes a contribution to support--or an independent expenditure to support or oppose--a candidate involved in the August 3rd primary election.

- II. The Post-Primary Campaign Statement**, due September 2, 2004 covers the committee's financial activity through August 23, 2004.

Your committee must file the Post-Primary Campaign Statement if between July 19th and August 23rd the committee makes a contribution to support--or an independent expenditure to support or oppose--a candidate involved in the August 3rd primary election.

Campaign Statement Coverage Dates

- A Campaign Statement's opening date is the day after the closing date of the last Campaign Statement filed by the committee. If the committee has never filed Campaign Statements, the opening date of the first Campaign Statement filed is the earlier of the following two dates: 1.) the committee's formation date or 2.) the date the committee accepted its first contribution or made its first expenditure.
- A Campaign Statement's closing date is specified under the Campaign Finance Act. Closing dates for the Campaign Statements required for August 3rd primary election are listed above.

Campaign Statement Forms

Campaign Statement forms (including Late Contribution Reports) and instructions can also be obtained by contacting the Michigan Department of State's Bureau of Elections, Post Office Box 20126, Lansing, Michigan 48901-0726. Phone: (517) 373-2540. Forms can also be accessed and printed from the Secretary of State's website <www.michigan.gov/sos>.

Timely, Accurate Campaign Statements Required!

- If the committee raised **\$10,000.00 or less** during the previous 2 years, a \$25.00 late filing fee will be assessed each business day the Statement remains unfiled up to \$500.00.
- If the committee raised **more than \$10,000.00** during the previous 2 years, the maximum late filing fee which can be assessed is increased to \$1,000.00. The fee is assessed as follows:
 - (a) \$25.00 for each business day the Statement remains unfiled.
 - (b) An additional \$25.00 for each business day after the first 3 business days the Statement remains unfiled.
 - (c) An additional \$50.00 for each business day after the first 10 business days the Statement remains unfiled.
- Campaign Statements that are hand delivered or sent by first class mail must reach this office before 5:00 p.m. on the due date. Committees must be sure to allow ample mailing time if sending a filing by first class mail.
- A Pre-Primary Campaign Statement that is mailed by registered mail, certified mail or an overnight delivery service and postmarked two or more calendar days before the filing deadline will be viewed as a timely filing regardless of when it arrives.
- A Post-Primary Campaign Statement that is mailed by registered mail, certified mail or an overnight delivery service and postmarked on or before the filing deadline will be viewed as a timely filing regardless of when it arrives.
- Be sure to fill out all forms as accurately as possible. Notices will be sent to the committee if forms are omitted, figures are wrong, addresses are incorrect, etc. The committee is then required to file an amendment to correct the error.
- A Campaign Statement will not be accepted if it is illegible, does not bear a proper signature, is not the proper size, or is presented in a computer format that has not been approved by the Department of State's Bureau of Elections.
- County Political Party Committees must file two (2) copies of each required Campaign Statement (one original and one photocopy). State Central and Congressional District Political Party Committees must file one original copy of each required Campaign Statement.

Late Contribution Reports

A Political Party Committee that participates in the August 3rd primary election is required to file a Late Contribution Report if the committee receives a contribution of \$200.00 or more from July 19, 2004 through July 31, 2004.

- A Late Contribution Report must be received by this office within 48 hours after the committee's receipt of the contribution. A Late Contribution Report must contain the date and amount of the contribution along with the contributor's name, street address, occupation, employer and principal place of business. The report may be made in a telegram, e-mail or fax or by any other means of written communication. The fax number for the Bureau of Elections is (517) 241-4785. The e-mail address for Late Contribution Reports is: lcr@michigan.gov. A Late Contribution Report does not have to contain an original signature. In addition to this report, a late contribution must be disclosed on the next Campaign Statement filed by the committee.
- Late contribution reports are not waived by a Reporting Waiver. However, committees with a Reporting Waiver are not required to show late contributions on a subsequent Campaign Statement.
- A late filing fee will be assessed each business day a required Late Contribution Report is late up to \$2,000.00. The late filing fee will be assessed as follows:
 - (a) \$25.00 for each business day the report remains unfiled.
 - (b) An additional \$25.00 for each business day after the first 3 business days the report remains unfiled.
 - (c) An additional \$50.00 for each business day after the first 10 business days the report remains unfiled.

Reporting Waiver Provisions

A committee that does not expect to receive or spend more than \$1,000.00 in a calendar year is eligible for a Reporting Waiver. A committee that qualifies for, and receives, a Reporting Waiver is exempt from filing Campaign Statements.

- To become eligible for a Reporting Waiver, the committee must check item 10 on its Statement of Organization. This tells the filing official that the committee does not expect to receive or spend more than \$1,000.00 in a calendar year. The committee can check item 10 on its original Statement of Organization or on an amendment to its Statement of Organization.
- A committee that does not check item 10 on its Statement of Organization is not eligible for a Reporting Waiver. This means that the committee must file Campaign Statements regardless of the amount received or spent during the reporting period.
- A committee loses its Reporting Waiver if it receives or spends more than \$1,000.00 in a calendar year. Note that funds leftover at the end of the year count toward the amount received for the next calendar year. If the Reporting Waiver is lost, the committee must file the next required Campaign Statement.

Identification Requirements

Public Act 250 of 2001 amended the Michigan Campaign Finance Act to require PAC's, Ballot Question Committees and Political Party Committees to add the statement "**paid for with regulated funds**" to the identification or disclaimer included on printed matter or in paid radio or television advertisements. The amendment provides:

"Except for a Candidate Committee's printed matter or radio or television paid advertisements, each identification or disclaimer required by this section shall also indicate that the printed matter or radio or television paid advertisement is paid for 'with regulated funds.' Printed matter or a radio or television paid advertisement that is not subject to this Act shall not bear the statement required by this subsection."

Merts Plus Software For Political Party Committees

The following reminders are offered for Political Party Committees using MERTS Plus software to file Campaign Statements electronically for the August 3, 2004 primary election. **Questions concerning use of the software should be directed to MERTS Plus Tech Support at: (703) 749-4642 or sent by e-mail to techsupport@nicusa.com.**

- **Election Cycles** – Make sure the correct election cycle(s) are entered into the Election Cycles Window. The election cycle for a candidate participating in the August 3rd primary election ends on November 2, 2004. For expenditures made after the November 2, 2004 general election to support or oppose candidates or issues, a new election cycle will need to be created for each candidate or ballot issue (Section 1.4 of the MERTS Plus Manual for Political Party Committees). The election cycle begins on the day after the last general election and ends on the day of the general election.
- **Campaigns** – Make sure the correct campaign(s) are created in the Campaign Window for each candidate or issue supported or opposed by the committee. For expenditures made after the November 2, 2004 general election to support or oppose candidates or issues, a new campaign will need to be created for each candidate or ballot issue (Section 1.5 of the MERTS Plus Manual for Political Party Committees).
- **Reporting Periods** – A separate report record (with correct coverage period dates) must be created in the Reports Window for each Campaign Statement that will be submitted by the committee electronically (Section 1.6 of the MERTS Plus Manual for Political Party Committees).
- **Amendments to Campaign Statements** – An amended Campaign Statement cannot be filed until an original Campaign Statement has been filed electronically. If more than one amendment to a report has been created, each amendment must be submitted electronically in the order it was created.

Obtaining The Merts Plus Software

State level committees wishing to obtain the MERTS Plus software may apply on-line at the MERTS Plus web site (www.mertsplus.com). Both on-site and on-line software training options are available. Access to the software is provided to committees that have completed the training session and submitted an original or amended Statement of Organization requesting the MERTS Plus software.

Questions?

If you have any questions, or would like to obtain a MERTS Plus Vendor Pack, please feel free to phone us at (517) 373-2540 or write us at the address indicated below. The address below should also be used to mail your filings by first class mail, registered mail or certified mail.

Michigan Department of State
Bureau of Elections
Post Office Box 20126
Lansing, Michigan 48901-0726

If you would like to visit our office or mail a filing by an overnight delivery service, the address below is provided.

Michigan Department of State
Bureau of Elections
1st Floor Treasury Building
430 W. Allegan St.
Lansing, MI 48918